

United States Court of Appeals  
Fifth Circuit

**UNITED STATES COURT OF APPEALS**  
**FOR THE FIFTH CIRCUIT**

**FILED**  
March 18, 2013

Lyle W. Cayce  
Clerk

No. 12-10360

D.C. Docket No. 3:10-CV-173

LINCOLN NATIONAL LIFE INSURANCE COMPANY,

Plaintiff - Appellee

COWBOY ATHLETICS INCORPORATED; T. BOONE PICKENS,

Defendants-Third Party Plaintiffs - Appellants

v.

MANAGEMENT COMPENSATION GROUP LEE INCORPORATED; JOHN  
RIDINGS LEE; JOHN RIDINGS LEE COMPANY INCORPORATED;  
JAMES GLENN TURNER, JR.; LARRY KEITH ANDERS; SUMMIT  
ALLIANCE FINANCIAL, L.L.P.,

Third Party Defendants - Appellees

Appeal from the United States District Court for the  
Northern District of Texas, Dallas

Before STEWART, Chief Judge, and SMITH and WIENER, Circuit Judges.

**J U D G M E N T**

This cause was considered on the record on appeal and was argued by counsel.

It is ordered and adjudged that the judgment of the District Court is affirmed.

IT IS FURTHER ORDERED that defendants-third party plaintiffs-appellants pay to appellees the costs on appeal to be taxed by the Clerk of this Court.

CLERK US DISTRICT COURT  
NORTHERN DISTRICT OF TX  
FILED  
2013 MAY -1 AM 9:17  
DEPUTY CLERK NT

ISSUED AS MANDATE: 09 APR 2013

A True Copy 09 APR 2013  
Attest

Clerk, U.S. Court of Appeals, Fifth Circuit

By: Danrell Johnson  
Deputy

New Orleans, Louisiana